

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

TODD LEVON,

Petitioner,

v.

WARDEN FRANCISCO QUINTANA,
et al.,

Respondent.

Civil Action No. 08-318 Erie

MEMORANDUM ORDER

This petition for writ of habeas corpus was received by the Clerk of Court on November 17, 2008 and was referred to Chief United States Magistrate Judge Susan Paradise Baxter for report and recommendation in accordance with the Magistrates Act, 28 U.S.C. § 636(b)(1), and Rules 72.1.3 and 72.1.4 of the Local Rules for Magistrates.

The Chief Magistrate Judge's Report and Recommendation, filed on December 29, 2008 [14], recommends that the Petitioner's Motion for Preliminary Injunction [3] be denied. The parties were allowed ten (10) days from the date of service to file objections. Service was made on Petitioner by certified mail at FCI McKean, where he is incarcerated, and on Respondents. Objections were filed by Petitioner on January 6, 2009 [18]. After de novo review of the petition and documents in the case, together with the Report and Recommendation and Petitioner's objections thereto, the following order is entered:

AND NOW, this 15th day of April, 2009;

IT IS HEREBY ORDERED that the Petitioner's Motion for Preliminary Injunction [3] be, and hereby is, DENIED.

The Report and Recommendation of Chief Magistrate Judge Baxter, filed on December 29, 2008 [14], is adopted as the opinion of the Court.

s/ Sean J. McLaughlin

Sean J. McLaughlin
United States District Judge

cm: All parties of record
Susan Paradise Baxter, Chief U.S. Magistrate Judge